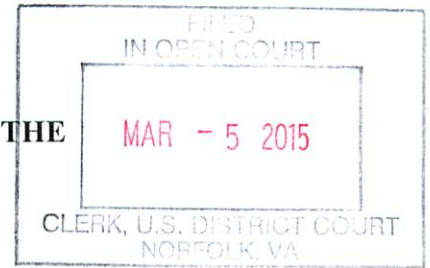


**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**



UNITED STATES OF AMERICA

v.

DWIGHT MCEACHIN,

Defendant.

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CRIMINAL NO. 2:15cr3

STATEMENT OF FACTS

The parties stipulate that the allegations in Count One of the indictment and the following facts are true and correct, and that had the matter gone to trial the United States would have proven them beyond a reasonable doubt.

1. On March 25, 2014, members of Florida local law enforcement, in conjunction with Homeland Security Investigations (HSI) Tampa, Florida and HSI Miami, Florida personnel, located and arrested a subject identified for the purposes of this statement and the protection of the larger investigation as Target A pursuant to an arrest warrant issued in the District of Columbia. Post-arrest, Target A admitted that he sexually abused his two step-grandchildren and created visual depictions of the abuse, including images and videos. Target A further admitted that he was the account holder of KIK Messenger user account "XXXX," and he used this account and his e-mail account to communicate with other KIK and e-mail users and share visual depictions of minors engaging in sexually explicit conduct (SEC), including the images and videos he produced of his step-grandchildren, as well as images and videos of other minors engaged in SEC.

2. HSI Tampa agents applied for and received a federal search warrant for the contents of Target A's e-mail accounts. The contents were reviewed and additional e-mail

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addresses were discovered for individuals that had been trading visual depictions of minors engaging in sexually explicit conduct with Target A. Two of the e-mail accounts were "mceachin_dwight@yahoo.com" and "operationsecret@yahoo.com". An Internet search of "mceachin_dwight@yahoo.com" revealed a Facebook account for an adult black male named Dwight MCEACHIN.

3. On April 21, 2014, the HSI Tampa Computer Forensic Unit extracted the KIK Messenger Contact table from Target A's cellular phone, which had been seized by HSI Tampa incident to Target A's arrest. HSI Tampa conducted a forensics analysis of the device based upon consent to search provided by Target A. Target A's KIK Messenger Contact List contained approximately 530 unique contacts. One of those contacts was identified by KIK username "[DefendantKIKAccount]."

4. On or about September 25, 2014, as well as additional dates, an Undercover (UC) agent was utilizing Target A's KIK account and was contacted by the KIK user, "[DefendantKIKAccount]" who using the screen name "[DefendantKIKScreenName]", and engaged in text conversations related to visual depictions of minors engaging in SEC. In addition, the user of [DefendantKIKScreenName] sent images of visual depictions of minors engaging in SEC to the UC.

5. The following is an excerpt of the message exchange between the defendant and the UC that occurred between September 25, 2014 and October 16, 2014:

[DEFENDANTKIKSCREENNAME]:	"hey you still trade"
UC:	"Ya watcha got?"
[DEFENDANTKIKSCREENNAME]:	"tons of boys"
[DEFENDANTKIKSCREENNAME]:	"but i been trying ti find Asian and Latin boys more"
[DEFENDANTKIKSCREENNAME]:	"hi"
UC:	"Love little yung boys...hummmm"
UC:	"Yummmm"

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[DEFENDANTKIKSCRENNNAME]:
"nice do you have any Asian or Latin boys
like 10 and under"
UC:
"U no what I got we hav traded b4. My shit
is homemade"
"hmm ok so have you fucked him yet"
UC:
"I have 2 of course"
"hmm so he is taking your dick again"
"now because u were just playing with him"
UC:
"No I never just played with him. Maybe we
hav not traded?"
UC:
"If we did u would no we hav my vids r
new"
UC:
"Latr unless u got good shit"
UC:
"And u no what I like"
"I have old ones where u fingers"
[DEFENDANTKIKSCRENNNAME]:
"ok ill sense pics"
UC:
"K I like em yung"
SENT AN IMAGE OF CHILD
PORNOGRAPHY
SENT AN IMAGE OF CHILD
PORNOGRAPHY
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PORNOGRAPHY
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SENT AN IMAGE OF CHILD
PORNOGRAPHY
"so"
UC:
"Beauties! R u into real?"
"yes i am"
UC:
[DEFENDANTKIKSCRENNNAME]:
"Perfect who r u playing with?"
"i had this Latin boy when i lived in Texas
im looking for one now"
[DEFENDANTKIKSCRENNNAME]:
"but im about to head to work i want
something new to jack off to can i see how
vid of fucking your nephew"
UC:
"Nice r u in florida? I am and into trading
real"
[DEFENDANTKIKSCRENNNAME]:
"and later ill send u a lot more boys i have
like 200 plus pics"
[DEFENDANTKIKSCRENNNAME]:
"no Va but might move down there for
college maybe"
UC:
"My grand babies not new phew"
UC:
"Nephew"

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agent on September 25, 2014:

engaging in SEC images that were sent by "[DefendantKIKScreenName]" to the undercover

6. The following is a description of some of the visual depictions of minors

UC: "now i have vids that's boys sent me of them playing with there self"
"If u want real boys I told u I'm n florida I'm def into real. How old r u?"

[DEFENDANTKIKSCREENNAME]: "like how to get boys or sites or something"

[DEFENDANTKIKSCREENNAME]: "aww come on we traded a lot of times i can trade me and tell me some secrets"

UC: "U seem a bit yung I trade my HC real for real and u def don't have real u have stuf from the net"

[DEFENDANTKIKSCREENNAME]: "so....dude are u good to talk"

[DEFENDANTKIKSCREENNAME]: "so....dude are u good to talk"

[DEFENDANTKIKSCREENNAME]: "guess not"

[DEFENDANTKIKSCREENNAME]: "so can we trade"

[DEFENDANTKIKSCREENNAME]: "ho"

[DEFENDANTKIKSCREENNAME]: "hey"

[DEFENDANTKIKSCREENNAME]: "aww send me a video please"

UC: "Gotta run fucing nosy wifey is home later"

[DEFENDANTKIKSCREENNAME]: "ok well u be up around 1 or 2 is am"

UC: "Nice booty handsome u look older than 18"

[DEFENDANTKIKSCREENNAME]: "lol i understand that"

UC: "I don't go to sites when I have little ones here mainly to trade"

[DEFENDANTKIKSCREENNAME]: "me btw"

UC: "On KIK or e-mail ya no"

[DEFENDANTKIKSCREENNAME]: "aww that sucks"

[DEFENDANTKIKSCREENNAME]: "aww that sucks"

[DEFENDANTKIKSCREENNAME]: "aww that sucks"

UC: "Ya I know everything dude"

UC: "Oh ok a bit far away"

[DEFENDANTKIKSCREENNAME]: "and do u know a easy way to get boys or a website i can go to"

[DEFENDANTKIKSCREENNAME]: "in him"

[DEFENDANTKIKSCREENNAME]: "ok cool so can i see a video of your dick a

- a. A white prepubescent male, approximately 6-8 years old, naked on a bed with his legs pulled up to his head, exposing his penis and anus. An adult naked white male is standing next to the bed and appears to be attempting to penetrate the boy's anus with an erect penis .
- b. A white/Asian prepubescent male, approximately 8-10 years old, naked, and sitting on an adult naked white male. The adult male is inserting his erect penis into the anus of the boy.
- c. A white prepubescent male, approximately 4-6 years old, naked on a bed on his hands and knees, exposing his penis and anus. An adult white male, who appears to be naked is grabbing the buttocks of the boy and licking the boy's anus.
- d. A white prepubescent male, approximately 8-10 years old, naked from the waist down on a bed. The boy is lying on his back with his legs spread exposing his penis and anus.

7. The "selfie" image that was sent to the UC agent (see "SENT AN IMAGE OF HIMSELF ON A BED" in the conversation above) appeared to be the same black male that was previously observed in the Facebook account associated with the mceachin_dwight@yahoo.com e-mail account that had been trading visual depictions of minors engaging in SEC with Target A.

8. HSI conducted a Facebook account query for Dwight MCEACHIN which revealed the account in that name which contained an image of the person that matched the image of the one sent to the undercover agent. In addition, a review of MCEACHIN's Instagram account revealed MCEACHIN lying on a bed with a unique blanket. The same blanket is seen in the image containing MCEACHIN that was sent to the undercover agent.

9. A query with the Virginia Department of Motor Vehicles revealed that MCEACHIN was not licensed but had a Virginia ID which lists him living in Virginia Beach. The image of MCEACHIN matched the image of the individual in the image sent to the UC, as well as the individual in the Facebook account and the Instagram account.

10. On December 15, 2014, law enforcement interviewed MCEACHIN. MCEACHIN admitted to using his KIK and e-mail account to trade visual depictions of minors

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engaging in SEC. He also gave permission for law enforcement to search his cell phone and other computer media.

11. A forensic analysis of MCEACHIN's cell phone and other computer media revealed numerous visual depictions of minors engaging in SEC.

12. The investigation and evidence reveal that on or about September 25, 2014, in Virginia Beach, within the Eastern District of Virginia and elsewhere, defendant DWIGHT MCEACHIN did knowingly distribute a visual depiction using a means and facility of interstate and foreign commerce and that had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which have been so mailed, shipped and transported, by any means including by computer, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction was of such conduct, that is: DWIGHT MCEACHIN distributed and attempted to distribute visual depictions via KIK messenger.

13. Defendant knew that the visual depictions he distributed and visual depictions of actual minors engaging in SEC.

14. The Internet is an interconnected network of computers with which one communicates when on-line, and that network crosses state and national borders. KIK Messenger uses the Internet to send and receive messages.

DANA J. BOENTE
UNITED STATES ATTORNEY

By: Melissa E. DiBoyle for
Elizabeth M. Yusi
Assistant United States Attorney


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After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, DWIGHT MCEACHIN, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.


DWIGHT MCEACHIN

I am DWIGHT MCEACHIN's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.


Suzanne V. Suher Katchmar
Counsel for Defendant

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